

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC.,

Plaintiff,

v.

AIMJUNKIES.COM; PHOENIX DIGITAL
GROUP, LLC; DAVID SCHAEFER; JORDAN
GREEN; JEFFREY CONWAY AND JAMES
MAY,

Defendants.

No. 2:21-cv-811

**PLAINTIFF BUNGIE, INC.’S
MOTION TO SEAL**

NOTE ON MOTION CALENDAR:
April 20, 2023

Plaintiff Bungie, Inc. (“Bungie”), pursuant to LCR 5(g) and the Stipulated Protective Order entered by the Court in this matter (Dkt. No. 60), hereby moves to file under seal the Declaration of John Doe in Support of Bungie’s Motion for Protective Order (“Doe Decl.”).

A party may file a document under seal without prior court approval “[i]f the party files a motion or stipulated motion to seal the document . . . at the same time the party files the sealed document.” LCR 5(g)(2)(B). The contemporaneous motion must include a certification that the parties met and conferred about the need to file the document under seal, the ability to minimize the material filed under seal, and the possibility of exploring alternatives to filing under seal. LCR 5(g)(3)(A). Here, Bungie intends to file under seal the declaration of John Doe, whose identity is the subject of Bungie’s Motion for Protective Order. The private and public interests that warrant a sealing order, the injury that will result to John Doe if their declaration is not sealed, and the

PLAINTIFF’S MOT. TO FILE UNDER SEAL
(No. 2:21-cv-811) – 1

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Phone: +1.206.359.8000
Fax: +1.206.359.9000

1 reasons why a less restrictive alternative to the relief sought is not sufficient are set forth in
2 Bungie's motion, and are incorporated herein by reference.

3 On April 12, 2023, Bungie's counsel held a teleconference with Defendants' counsel
4 regarding maintaining John Doe's name as Highly Confidential under the parties' Stipulated
5 Protective Order (Dkt. No. 60). Defendants' counsel stated Defendants did not have objections to
6 maintaining John Doe's name as Confidential. The parties disagreed as to the appropriateness of
7 the Highly Confidential designation.

8 A proposed order accompanies this motion.

9
10 Dated: April 20, 2023

By: /s/Jacob P. Dini

Jacob P. Dini, Bar No. 54115
William C. Rava, Bar No. 29948
Christian W. Marcelo, Bar No. 51193
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Telephone: +1.206.359.8000
Facsimile: +1.206.359.9000
WRava@perkinscoie.com
CMarcelo@perkinscoie.com
JDini@perkinscoie.com

Attorneys for Plaintiff Bungie, Inc.